

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE: VITAMINS ANTITRUST
LITIGATION

THIS DOCUMENT APPLIES TO:
ALL ACTIONS

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) Misc. No. 99-197 (TFH)
) MDL No. 1285
)
)
)

FILED

APR 04 2002

ORDER

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

Upon consideration of the Defendants' Rule 53 Objections, Plaintiffs' motion to compel foreign defendants to produce requested discovery, the parties' briefs, the Special Master's January 11, 2002 Report and Recommendations, and the entire record herein, it is hereby

ORDERED that the Special Master's January 11, 2002 Report and Recommendations is **AFFIRMED** by this Order;¹ and, it is hereby

ORDERED that plaintiffs' motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

- (1) Plaintiffs' motion is granted and each foreign defendant is ordered to produce all written substantive communications it produced to Australia, Brazil, Japan, New Zealand, Switzerland, or the European Commission, as well as all other written communications it submitted to any of those governments or to any agency of the United States Government;
- (2) Plaintiffs' motion is denied to the extent it seeks an order to compel defendant Rhone-Poulenc to produce materials it submitted to Mexico; and,

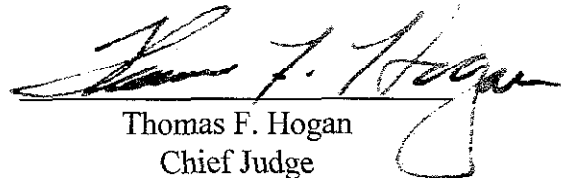
¹ A Memorandum Opinion will be released in the near future.

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(3) Plaintiffs' motion be denied to the extent it seeks an order compelling each defendant to produce a privilege log providing the information required by Rule 26(b)(5) of the Federal Rules of Civil Procedure for all "internal investigation documents" described as documents constituting or referring to any internal investigation conducted by the defendant or on its behalf.

SO ORDERED.

April 4, 2002


Thomas F. Hogan
Chief Judge